

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROTEIN CHIPS FOR HIGH THROUGHPUT SCREENING OF PROTEIN ACTIVITY

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
☒ was filed in the United States on May 4, 2001 as Application No. 09/849,781 (for declaration not accompanying application)
with amendment(s) filed on (if applicable)
☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.


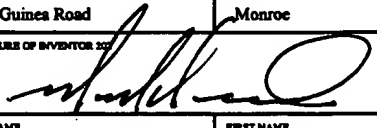
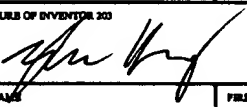

| PROVISIONAL APPLICATION NUMBER | FILING DATE |
|--------------------------------|---------------|
| 60/221,034 | July 27, 2000 |
| 60/201,921 | May 4, 2000 |
| | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|--|-------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| | | | | |
| | | | | |
| | | | | |

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | | |
|-------------|--|-------------------------------|---|----------------------------------|
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME Snyder | FIRST NAME Michael | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Fairfield | STATE OR FOREIGN COUNTRY Connecticut | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | STREET 230 Somerset Avenue | CITY Fairfield | STATE OR COUNTRY Connecticut |
| | SIGNATURE OF INVENTOR 201  | | | DATE 8/16/01 |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME Reed | FIRST NAME Mark | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Monroe | STATE OR FOREIGN COUNTRY Connecticut | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | STREET 129 Guinea Road | CITY Monroe | STATE OR COUNTRY Connecticut |
| | SIGNATURE OF INVENTOR 202  | | | DATE 8/16/01 |
| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME Zhu | FIRST NAME Heng | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY New Haven | STATE OR FOREIGN COUNTRY Connecticut | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | STREET 48 Pearl Street | CITY New Haven | STATE OR COUNTRY Connecticut |
| | SIGNATURE OF INVENTOR 203  | | | DATE 8/16/01 |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME Klemic | FIRST NAME James | MIDDLE NAME Frank |
| | RESIDENCE & CITIZENSHIP | CITY New Haven | STATE OR FOREIGN COUNTRY Connecticut | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | STREET 260 Willow Street | CITY New Haven | STATE OR COUNTRY Connecticut |
| | SIGNATURE OF INVENTOR 204  | | | DATE Aug 16, '01 |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY |
| | SIGNATURE OF INVENTOR 205 | | | DATE |

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Snyder et al.

Application No.: 09/849,781

Group Art Unit: To Be Assigned

Filed: May 4, 2001

Examiner: To Be Assigned

For: PROTEIN CHIPS FOR HIGH
THROUGHPUT SCREENING OF PROTEIN
ACTIVITY

Attorney Docket No.: 6523-028



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization Yale University
Address of organization 451 College Street
New Haven, Connecticut 06520
Type of organization
☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of the United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.
☐ Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled PROTEIN CHIPS FOR HIGH THROUGHPUT SCREENING OF PROTEIN ACTIVITY by inventor(s) Snyder et al. described in

- ☐ the specification filed herewith
- ☒ application no. 09/849,781 filed May 4, 2001
- ☐ patent no. _____ issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).


FULL NAME Protometrix, Incorporated
ADDRESS c/o Collinson Howe & Lennox, LLC
1055 Washington Boulevard, Stamford, CT 06901
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to: PENNIE & EDMONDS LLP Direct Telephone calls to:
1155 Avenue of the Americas PENNIE & EDMONDS LLP
New York, N.Y. 10036-2711 (212) 790-9090

Name of person signing Kara McCarthy Casey
Title of person other than owner Manager, Intellectual Property Affairs
Address of person signing Office of Cooperative Research
Yale University
433 Temple Street
New Haven, Connecticut 06511
Signature  Date 7/3/01

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: ☒ Application of: Snyder et al

☒ Application No.: 09/849,781

Group Art Unit: To Be Assigned

☒ Filed: May 4, 2001

Examiner: To Be Assigned

For: PROTEIN CHIPS FOR HIGH
THROUGHPUT SCREENING OF PROTEIN
ACTIVITY

Attorney Docket No.: 6523-028

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(c)] - Small Business Concern

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act in behalf of the concern identified below:

Name of organization Protometrix, Incorporated

Address of organization c/o Collinson Howe & Lennox, LLC

1055 Washington Boulevard, Stamford, CT 06901

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention entitled PROTEIN CHIPS FOR HIGH THROUGHPUT SCREENING OF PROTEIN ACTIVITY by inventor(s) Snyder et al. described in

- ☐ the specification filed herewith
- ☒ application no. 09/849,781 filed May 4, 2001
- ☐ patent no. issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention

are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME Yale University
ADDRESS 451 College Street
New Haven, Connecticut 06520
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

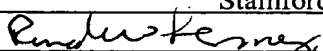
FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

| | | |
|-------------------------|--|--|
| Send correspondence to: | PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, N.Y. 10036-2711 | Direct Telephone calls to: PENNIE & EDMONDS LLP (212) 790-9090 |
|-------------------------|--|--|

Name of person signing Ronald W. Lennox
Title of person other than owner Acting Chief Executive Officer
Address of person signing 1055 Washington Boulevard
Stamford, CT 06901
Signature  Date 27 June 2001

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)